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<p>1 you arrest Mr. Bush?</p> <p>2 A I remember being in contact with them</p> <p>3 about the arrest of Mr. Bush definitely post arrest</p> <p>4 about his transport back to Richmond.</p> <p>5 Q Tell me what you talked about and with who</p> <p>6 about the post arrest conversation.</p> <p>7 A I don't remember which one I spoke to but</p> <p>8 they said -- they gave me the date he was returning</p> <p>9 to Richmond. That was about it.</p> <p>10 Q And you had no contact with anybody from</p> <p>11 that task force about Mr. Bush other than that</p> <p>12 contact?</p> <p>13 A That's where I said I can't recall pre</p> <p>14 arrest.</p> <p>15 Q Well, how many conversations did you have</p> <p>16 post arrest?</p> <p>17 A One or two.</p> <p>18 Q One was about when are they going to get</p> <p>19 here; correct? What other do you remember?</p> <p>20 MR. SIMOPOULOS: Objection to form.</p> <p>21 BY MR. PURICELLI:</p> <p>22 Q One was about when are they going to be</p> <p>23 brought to Richmond. Is that a fair way to describe</p> <p>24 it?</p> <p>25 A Yes. The other one was probably he's in</p>	<p>1 of the case. You told me there was a conversation</p> <p>2 pre arrest. Were there any conversations post</p> <p>3 arrest after bail?</p> <p>4 MR. SIMOPOULOS: With the Commonwealth's</p> <p>5 Attorney?</p> <p>6 MR. PURICELLI: Yes.</p> <p>7 BY MR. PURICELLI:</p> <p>8 Q With the Commonwealth's Attorney?</p> <p>9 A After bail? When did bail occur?</p> <p>10 Q November 24th.</p> <p>11 A November 24th. How many days was that</p> <p>12 after he got arrested?</p> <p>13 Q About six weeks. He spent a month in</p> <p>14 federal detention center and about two weeks here.</p> <p>15 A I spoke to him before the case came up in</p> <p>16 court.</p> <p>17 Q What did you talk about other than the</p> <p>18 case? Specifically what did you say and he say?</p> <p>19 A I don't remember specifics.</p> <p>20 Q Give me the general idea.</p> <p>21 A The only thing I remember is that they</p> <p>22 were talking about not prosecuting the case.</p> <p>23 Q My experience when an attorney tells me</p> <p>24 I'm not going to prosecute a case, I usually ask</p> <p>25 why. Did you ask a similar type question?</p>
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<p>1 Richmond. That was probably the extent of it.</p> <p>2 Q Did you talk to them at all about the</p> <p>3 nature of the case?</p> <p>4 A I don't recall. I mean, the arrest, I</p> <p>5 mean, the gist of the facts about the arrest are on</p> <p>6 the warrants. It's pretty straight forward. I</p> <p>7 don't recall dealing with them about the facts and</p> <p>8 circumstances.</p> <p>9 Q Up to this point is there anybody that you</p> <p>10 communicated with other than an attorney about the</p> <p>11 Bush arrest that we haven't talked about?</p> <p>12 A Other than the Commonwealth's Attorney's</p> <p>13 Office?</p> <p>14 Q You already told me you spoke to the</p> <p>15 Commonwealth's Attorney.</p> <p>16 A Right.</p> <p>17 Q Was there a conversation you had with</p> <p>18 anybody else that we haven't talked about?</p> <p>19 A Not that I recall.</p> <p>20 Q Was there any conversations with anybody</p> <p>21 that we haven't talked about already about the Bush</p> <p>22 case: The arrest, the facts, anything?</p> <p>23 A Not that I can think of at this time, no.</p> <p>24 Q You had mentioned sometimes you met with</p> <p>25 the Commonwealth's Attorney to talk about the merits</p>	<p>1 A Yes.</p> <p>2 Q What was the response?</p> <p>3 A I don't recall.</p> <p>4 Q In general, do you recall what the</p> <p>5 response was?</p> <p>6 A Yes. There was trouble getting witnesses.</p> <p>7 I don't recall why but that was the main thing that</p> <p>8 stuck in my mind.</p> <p>9 Q Who was the Commonwealth's Attorney you</p> <p>10 were speaking to at this point?</p> <p>11 A It was either Mary Langer or Julie</p> <p>12 McConnell.</p> <p>13 Q Mary's last name?</p> <p>14 A L-A-N-G-E-R.</p> <p>15 Q Were you at the first court listing for</p> <p>16 the case? Not the bail hearing.</p> <p>17 A I don't recall.</p> <p>18 Q How do you ordinarily get noticed in a</p> <p>19 case?</p> <p>20 A You get subpoenaed.</p> <p>21 Q And I notice that we didn't find a</p> <p>22 subpoena in your file. Do you ordinarily keep</p> <p>23 subpoenas in your police file?</p> <p>24 A Not ordinarily.</p> <p>25 Q Okay. Assuming you were subpoenaed, and</p>

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<p>1 assuming you were, did you appear for the hearing?</p> <p>2 A I said I don't know.</p> <p>3 Q If you appear for a hearing would you be</p> <p>4 paid any over time?</p> <p>5 A If it occurred during your off duty hours.</p> <p>6 Q And you don't know if you appeared so you</p> <p>7 don't know if you were on or off; right?</p> <p>8 A I would just be speculating.</p> <p>9 Q How did you learn of the disposition?</p> <p>10 A I heard from the Commonwealth's Attorney.</p> <p>11 I believe they called me up. That's why I don't</p> <p>12 recall the hearing. Because I was probably called</p> <p>13 off on it.</p> <p>14 Q Okay. That's fair. Do you recall which</p> <p>15 of the two attorneys that you named was the</p> <p>16 Commonwealth's Attorney that called you to tell you</p> <p>17 the case had been dismissed?</p> <p>18 A I don't recall, sir.</p> <p>19 Q Do you recall asking the Commonwealth's</p> <p>20 Attorney why the case was dismissed?</p> <p>21 A In leading up to it that was when I was</p> <p>22 told about the issues with getting the necessary</p> <p>23 witnesses there and that there was a problem with</p> <p>24 that.</p> <p>25 Q With obtaining witnesses to prosecute?</p>	<p>1 day.</p> <p>2 Q Subsequent to you learning the case had</p> <p>3 been dismissed was that the end of any involvement</p> <p>4 you had with the Bush custody matter?</p> <p>5 A I believe so.</p> <p>6 Q Okay. And has there been discussions with</p> <p>7 anybody other than your attorneys about the Bush</p> <p>8 case and the arrests and the facts that caused the</p> <p>9 arrest that we haven't talked about yet?</p> <p>10 A I don't believe so.</p> <p>11 Q Has there been anybody you've talked to</p> <p>12 other than your attorney about the Bush case, the</p> <p>13 warrants, the facts, anything that we've covered</p> <p>14 today that we haven't talked about?</p> <p>15 A Have I spoken with anybody other than --</p> <p>16 Q Anybody.</p> <p>17 A I just spoke to Lieutenant Russell about</p> <p>18 it.</p> <p>19 Q Okay. Aside from Lieutenant Russell, who</p> <p>20 was involved in it, was there anybody else? Any</p> <p>21 superiors in your police department that asked about</p> <p>22 it?</p> <p>23 A No, sir.</p> <p>24 Q There's been no memo down from the chief?</p> <p>25 A No, sir.</p>
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<p>1 A Correct.</p> <p>2 Q And that was the prehearing conversation;</p> <p>3 correct?</p> <p>4 A Pre?</p> <p>5 Q You said you had one postbail prehearing</p> <p>6 conversation about the merits of the case. Did I</p> <p>7 get that correct?</p> <p>8 A That's correct. That was prehearing.</p> <p>9 Q Okay. And I'm looking to see if that was</p> <p>10 the same reason given to you when the Commonwealth's</p> <p>11 Attorney called to say it was dismissed or dropped?</p> <p>12 A I don't believe I spoke with them after</p> <p>13 the fact about the case.</p> <p>14 Q That's why I asked how you learned about</p> <p>15 the disposition. I know you said there was a</p> <p>16 problem with the case and it might get dropped. But</p> <p>17 you knew the disposition of the case; didn't you?</p> <p>18 A I don't recall how I knew that.</p> <p>19 Q So you don't recall if someone called you</p> <p>20 or if a document came to tell you what the</p> <p>21 disposition was?</p> <p>22 A I'm pretty sure what happened was they</p> <p>23 called me and called me off and said I didn't need</p> <p>24 to appear that it was going to be nol pros'ed.</p> <p>25 There would have been no conversation after that</p>	<p>1 Q There's been no inquiry about it from</p> <p>2 Internal Affairs?</p> <p>3 A No, sir. The legal department,</p> <p>4 specifically our department lawyers, I've spoken to</p> <p>5 them. But that was about it.</p> <p>6 Q That's close enough to attorney/client</p> <p>7 privilege. All you have to do is say I'm talking to</p> <p>8 my lawyers about it. That's enough for me.</p> <p>9 Aside from the legal department have</p> <p>10 you talked in general to people about the events? I</p> <p>11 see you're married. It would dawn on me that you</p> <p>12 would tell your wife what was going on?</p> <p>13 A Is that what you're asking?</p> <p>14 Q Well, I'm sure in the Commonwealth of</p> <p>15 Virginia there's a spousal privilege. There is in</p> <p>16 Pennsylvania. I don't intend to ask you</p> <p>17 conversations with your wife. I'm just trying to</p> <p>18 give you an idea when I ask if there's someone you</p> <p>19 talked to, keep it broad. Because I don't want to</p> <p>20 leave here and find out that somebody said they</p> <p>21 talked to you and you didn't tell me.</p> <p>22 A So you're asking anybody other than my</p> <p>23 wife?</p> <p>24 Q Right. I'm assuming you did. And it</p> <p>25 would seem sensible to me that you would talk to</p>

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<p>1 your wife about that, and I don't care to know about 2 that. 3 A No. I didn't talk to anybody else about 4 it. 5 Q Okay. And of everything we've talked 6 about that hasn't refreshed your memory as to 7 anybody else you talked to in Pennsylvania other 8 than Tripp? 9 A No, sir. 10 Q Never talked to Trooper McDermott? 11 MR. SIMOPOULOS: Objection. Asked and 12 answered. 13 BY MR. PURICELLI: 14 Q If you answered that I apologize for 15 asking again. 16 A I don't recall, sir. 17 Q Did you talk to anybody from the Virginia 18 State Police? 19 A Maybe their fugitive guys who's on the 20 same task force as the U.S. Marshals. 21 Q And who would that be? 22 A I think -- it's Ed Kellam, K-E-L-L-A-M. 23 And it just would have been about transport. 24 Q Do you know Sergeant McCann, M-C-C-A-N-N, 25 with the Virginia State Police?</p>	<p>1 Q Did you have a conversation with him about 2 speaking to people in Pennsylvania? 3 A I don't recall. That's possible. 4 Q On or about October 24, 2006 you don't 5 recall any conversation with Captain Mark Segal from 6 the Richmond Police Department and Pennsylvania 7 State Police? 8 A Are you asking? 9 Q Yes. 10 A I'm not sure what you're asking. 11 Q According to your testimony as I 12 understand it, and correct me where I'm wrong if I'm 13 wrong, he had asked about the Bush matter. You 14 referred him to Detective Lawson. Did I hear that 15 right? 16 A No. I said I either referred him to 17 Detective Lawson or I answered his question over the 18 phone. I believe he called me in the middle of the 19 night. And I don't remember what the content of our 20 conversation was. 21 Q He didn't tell you that he was speaking 22 with the Pennsylvania State Police? 23 A I just told you I don't recall. 24 Q I'm trying to give you facts that might 25 jog your memory.</p>
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<p>1 A No, sir. 2 Q Just Ed Kellam. Captain Mark Segal? 3 A Oh, right. He's a former captain that has 4 since left the department. 5 Q Did you talk to him? 6 A Yes, sir. 7 Q What did you tell him? 8 A He was calling the night that the report 9 was being taken. His name's on that report. 10 (Reviews documents.) 11 Q One of the missing children's report? 12 A Yes, sir. 13 Q Why don't you tell me about the captain. 14 How does he fall in the chain of your supervision 15 chain? 16 A He is or was at the time the commander for 17 the city at nighttime. 18 Q Night command? 19 A Yes, sir. 20 Q Okay. What would have been his duties and 21 the relationship to the events involving the Bushes? 22 A I can't remember who contacted him, but he 23 had a question about the case. And I believe I 24 referred him to Detective Lawson. Or I spoke to him 25 on the phone. I don't know which.</p>	<p>1 A And I said it's possible. 2 Q I know and I'm just trying to help. Maybe 3 it will jog your memory. 4 MR. SIMOPOULOS: If he doesn't recall he 5 doesn't recall. 6 BY MR. PURICELLI: 7 Q Did Captain Segal ask you if you were 8 working on a missing child case? 9 A I believe he asked me about these specific 10 children. He asked me what the case was about. 11 Q The case was about an abduction charge; 12 correct? 13 A I'm not sure at this time. 14 Q This time being on or about October 24, 15 2006 at approximately 035 hours? 16 A Right. So the night of the 23rd 17 basically, just the start of the 24th. 18 Q So the 23rd would have been approximately 19 when he came to you and you said you need to do 20 something about the court order. Is that correct? 21 A I believe she presented me with a vacated 22 court order on the 23rd. 23 Q When she did that, if I understand your 24 testimony, you then got the warrants for Mr. Bush 25 for parental child abduction. Do I have that right?</p>

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<p>1 A Warrants where are obtained on the 25th. 2 That's the executed date. Obtained date. Lower 3 left it says October 25th. 4 Q I see. That's cut off on my copy. So 5 October 25th at 7:40 pm is the date the warrants 6 were issued. So that was the day before Captain 7 Segal was contacted; correct? 8 A I updated him; yes, sir. 9 Q Did Captain Segal indicate to you that he 10 was receiving faxes from the Pennsylvania State 11 Police? 12 A I don't recall. 13 Q Your record doesn't indicate any faxes 14 from the Pennsylvania State Police; do they? 15 A I do not have any records of what you're 16 describing. They would be here. 17 Q If an outside agency such as the 18 Pennsylvania State Police contacted your department 19 in regards to NCIC entries would they be referred to 20 the captain? 21 A They're usually referred to 22 communications, and they query our system and 23 determine the validity of the existence of the 24 warrants. 25 Q Would there be any reason you know of why</p>	<p>1 whether two detectives aided in the removing of kids 2 out of the school and turning them over to the 3 father? 4 A I just don't recall. 5 Q All right. Do you know this number: 6 (804)646-6456? 7 A That sounds like one of our numbers. It 8 could be the captain's desk number. 9 Q And you have nothing in your file showing 10 a fax from the Pennsylvania State Police? 11 A I'll check again real quick if you want me 12 to. 13 Q I don't want to belabor the point. I'll 14 let you look at the report. It says they faxed you 15 something (document proffered.) 16 A (Reviews document.) Where are you 17 looking? 18 Q Right there (indicates.) They indicated 19 they faxed the captain documents. 20 A (Reviews documents.) The part about the 21 kids being entered in the NCIC? 22 Q Yes. Keep reading. You'll see the number 23 I read off to you. 24 A Okay. 25 Q You read on and you'll see the sentence</p>
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<p>1 the captain would have been contacted to deal with 2 the Pennsylvania State Police of an NCIC entry of 3 missing children? 4 A I don't know why. I just don't remember 5 the content of our conversation. 6 Q Did Captain Segal ask you to explain if 7 there were any detectives that aided in removing the 8 children from the schools? 9 MR. SIMOPOULOS: Objection to form. He's 10 already answered the question three times now. 11 MR. PURICELLI: Just seeing if it sparks 12 anything. 13 MR. SIMOPOULOS: If he doesn't recall he 14 doesn't recall. He's answered numerous times. 15 MR. PURICELLI: He can answer that 16 specific question. He could say I remember 17 now. Maybe not and he'll say no. 18 MR. SIMOPOULOS: Don't speculate. 19 THE WITNESS: Sorry. Say it again. 20 BY MR. PURICELLI: 21 Q I just want to know whether or not my 22 reading what the Pennsylvania State Police are 23 writing sparks memory? It does or it doesn't. 24 A Go ahead. 25 Q Did Captain Segal ask you in a phone call</p>	<p>1 about the state police confirming that the captain 2 received the faxes that they sent, the documents 3 they faxed? 4 A What were they faxing? 5 Q Good question. That's what I'm asking 6 you. 7 A Oh. I believe I have the NCIC entry 8 confirmations but. 9 Q You don't have any documents with the 10 state police fax labels on the top in your file. I 11 didn't see any anywhere. You haven't given me any. 12 A I don't have any. 13 Q I know you're not hiding them. I'm just 14 saying they say they exist, and they're not in the 15 file. 16 A No. Everything I have you have. 17 Q If they were faxed to the captain under 18 the normal course of events under your procedures 19 what would he do with whatever he received from the 20 state police on a file that you're working? 21 A He would either put them in inner city 22 mail and get them to me or put them in my hand. 23 Q Do you have recollection of him putting 24 any documents in your hand in regards to the Bush 25 case?</p>

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<p>1 A No. Because I never see him. He works 2 6 pm to 6 am, and I don't come in until 8. 3 Q And the only phone call you have any 4 recollection of is the one he called to ask you 5 about the case? 6 A Yes. 7 Q Okay. Is there anybody else that you 8 might have remembered now talking to? 9 A Yes. I remember one more. The other 10 detective's name that went to the school. I don't 11 know if you have that. But that sparked my memory. 12 Tish Edmonds. E-D-M-O-N-D-S. She went to one of 13 the schools, and Detective Lawson went to the other 14 school. 15 Q Tish? 16 A Yes. T-I-S-H. 17 Q E-D-M-O-N-D-S? 18 A Yes. Edmonds. 19 Q All right. How did she come into this? 20 A Detective Lawson got with her and planned 21 it. 22 Q Planned what? 23 A Planned that she would go to one school, 24 and he would go to the other school. 25 Q I see. Aside from picking up the children</p>	<p>1 Q Okay. Anybody else other than her? 2 A No. I can't remember anybody else right 3 now. 4 Q Okay. 5 A If you want to throw some names at me, 6 feel free. 7 Q I don't want to belabor the point. 8 A I just want to help. 9 MR. PURICELLI: Sergeant, that's all I 10 have for today. 11 12 13 (Witness to read and sign.) 14 (2 exhibits.) 15 (Proceedings concluded at 1:50 p.m.) 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 and bringing them back safely is that the only thing 2 she played a part in? 3 A You asked about people I talked to. 4 Q Yes. 5 A I just told her we were getting sued at 6 one point about it. That was it. 7 Q Absent no other involvement she just 8 happened to be the one person to go. Is that it 9 with her? 10 A That's the extent of it. 11 Q Okay. And you only told her you were 12 being sued? 13 A I said -- I asked her if she remembered 14 anything more than just going to pick up the kids at 15 a school. And she didn't have anything to add so 16 that was that. 17 Q Was that all she said? I have nothing 18 more than what you just said? 19 A That was pretty much the content of it. 20 We didn't discuss anything at length. 21 Q I know that you said I'm being sued. I 22 don't know what she said. What did she say? 23 A She just told me that she didn't remember 24 anything else about it other than going to pick up 25 the kids at the one school.</p>	<p>1 C E R T I F I C A T E 2 State of Virginia) 3) Ss: Chesterfield County) 4 I, Mary E. Aliff, a Notary Public 5 within and for the State of Virginia, at Large, duly 6 commissioned and qualified, do hereby certify that 7 the within named witness, SERGEANT SEAN ADAMS, was 8 by me first duly sworn to tell the truth, the whole 9 truth and nothing but the truth in the cause 10 aforesaid; that the testimony then given by him was 11 reduced by me to stenotype in the presence of said 12 witness, subsequently transcribed into English text 13 under my direction, and that the foregoing is a true 14 and accurate transcript of the testimony so given. 15 I do hereby certify that this 16 deposition was taken at the time and place as 17 specified in the foregoing caption and was completed 18 without adjournment. 19 I do hereby further certify that I am 20 not a relative, counsel or attorney of either party 21 or otherwise interested in the outcome of this 22 action. 23 In witness whereof, I have hereunto set 24 my hand this 13th day of July, 2010. 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 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<p>1 UNITED STATES DISTRICT COURT</p> <p>2 for the</p> <p>3 EASTERN DISTRICT OF VIRGINIA</p> <p>4</p> <p>5</p> <p>6</p> <p>7 CHRISTPHER BUSH AND DAVID BUSH</p> <p>8 Plaintiff</p> <p>9</p> <p>10 v. Civil Action No. 07-4926</p> <p>11</p> <p>12 S.C. ADAMS, ET AL.</p> <p>13 Defendants</p> <p>14</p> <p>15</p> <p>16 Deposition of SERGEANT SEAN ADAMS, taken at the</p> <p>17 instance of the Plaintiff, before Mary E. Aliff,</p> <p>18 Court Reporter and Notary Public for the State of</p> <p>19 Virginia at Large on May 20, 2010 commencing at</p> <p>20 10:00 a.m. at the offices of the City of Richmond</p> <p>21 City Attorney, 900 E. Broad Street, Richmond,</p> <p>22 Virginia, pursuant to Rule 4:5 of the Supreme Court</p> <p>23 Rules of Virginia, pursuant to notice.</p> <p>24</p> <p>25</p>	<p>1 I, SERGEANT SEAN ADAMS, hereby certify that</p> <p>2 this transcript is true and accurate, with comments,</p> <p>3 of the statement given in the above styled matter at</p> <p>4 the time and place specified in the caption</p> <p>5 hereinabove.</p> <p>6</p> <p>7</p> <p>8 -----</p> <p>9</p> <p>10</p> <p>11 Sworn to before me this _____</p> <p>12 date of _____, 2010.</p> <p>13</p> <p>14 Notary Public within and for the</p> <p>15 State of _____.</p> <p>16</p> <p>17 My commission expires _____.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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